

SENATE BILL No. 410

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-1.6.

Synopsis: Water resources institute. Establishes a water resources institute. Provides that the water resources institute is a nonpartisan body corporate and politic consisting of an executive director and other staff members who have expertise in disciplines related to water resources, water resource planning, water conservation and drought, water technology, and workforce development. Provides for the water resources institute to develop and routinely update a long term water resources master plan for Indiana and conduct other planning and research activities concerning water resources issues. Requires every utility that furnishes water or wastewater service to its customers to pay an annual fee to fund the planning and research activities of the water resources institute. Requires that the amount of the annual fee paid by a water utility: (1) be determined by the utility regulatory commission in consultation with the budget agency; and (2) be proportionate to the amount of water that the water utility furnishes to its customers or the amount of wastewater that the water utility receives for processing from its customers.

Effective: July 1, 2015.

Merritt

January 12, 2015, read first time and referred to Committee on Environmental Affairs.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 410

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 8-1-1.6 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2015]:
4 **Chapter 1.6. Water Resources Institute**
5 **Sec. 1. (a) The definitions in this section apply throughout this**
6 **chapter.**
7 **(b) "Commission" refers to the Indiana utility regulatory**
8 **commission created by IC 8-1-1-2.**
9 **(c) "Water resources institute" refers to the nongovernmental,**
10 **nonpartisan body corporate and politic established by section 2 of**
11 **this chapter for the purpose of conducting planning and research**
12 **activities concerning water resources on behalf of the state.**
13 **(d) "Water utility" means:**
14 **(1) a public utility, as defined in IC 8-1-2-1(a);**
15 **(2) a municipally owned utility, as defined in IC 8-1-2-1(h);**
16 **(3) a not-for-profit utility, as defined in IC 8-1-2-125(a);**



1 (4) a utility owned cooperatively by its customers;
 2 (5) a conservancy district established under IC 14-33; or
 3 (6) a regional district established under IC 13-26;
 4 that furnishes water or wastewater service to its customers.

5 Sec. 2. (a) The water resources institute is established.

6 (b) The water resources institute established by this section:

7 (1) is a permanent, nongovernmental, nonpartisan body
 8 corporate and politic;

9 (2) shall consist of:

10 (A) a chief executive officer appointed by the commission;
 11 and

12 (B) directors and technical staff members who are
 13 appointed by the chief executive officer and have expertise
 14 in disciplines related to:

15 (i) water resources;

16 (ii) water resource planning;

17 (iii) water conservation and drought;

18 (iv) water technology; and

19 (v) workforce development; and

20 (3) may be supported with money from the fund established
 21 by section 4 of this chapter.

22 Sec. 3. The purposes of the water resources institute established
 23 by section 2 of this chapter include the following:

24 (1) To develop and routinely update a long term water
 25 resources master plan for Indiana.

26 (2) To develop and implement a water technology cluster for
 27 Indiana.

28 (3) To develop and implement solutions to workforce
 29 development challenges within the water sector.

30 (4) To conduct research and provide analysis concerning
 31 other relevant and appropriate water resources issues.

32 Sec. 4. (a) The water resources planning and research fund is
 33 established for the purpose of supporting the planning and
 34 research activities of the water resources institute established by
 35 section 2 of this chapter. The fund shall be administered by the
 36 commission.

37 (b) The fund consists of the revenue from fees collected under
 38 section 5 of this chapter.

39 (c) The expenses of administering the fund shall be paid from
 40 money in the fund.

41 (d) The treasurer of state shall invest the money in the fund not
 42 currently needed to meet the obligations of the fund in the same



1 manner as other public money may be invested. Interest that
2 accrues from these investments shall be deposited in the fund.

3 (e) Money in the fund at the end of a state fiscal year does not
4 revert to the state general fund.

5 Sec. 5. (a) After December 31, 2015, each water utility shall
6 annually pay to the commission a water resources planning and
7 research fee. Every water utility shall pay the fee each year on or
8 before a date established by the commission.

9 (b) The fees paid under this section shall be deposited into the
10 fund established by section 4 of this chapter.

11 (c) The amount of the fee paid by a water utility under this
12 section shall be determined by the commission in consultation with
13 the budget agency. The commission shall:

14 (1) set the fee paid by a particular water utility at an amount
15 proportionate to:

16 (A) the amount of water that the water utility furnishes to
17 its customers; or

18 (B) the amount of wastewater that the water utility
19 receives for processing from its customers; and

20 (2) set the fees paid by all water utilities under this section so
21 as to ensure that the fee revenue is sufficient to fund the
22 planning and research activities of the water resources
23 institute as may be designated by the commission.

